

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EMAD SAIDAWI,

Plaintiff,

v.

SAN JOSE POST OFFICE,

Defendant.

Case No.: 13-cv-03208-YGR

**ORDER REGARDING PLAINTIFF'S FAILURE TO  
FILE AN OPPOSITION TO DEFENDANT'S  
MOTION TO DISMISS**

On July 12, 2013, Defendant filed a Motion to Dismiss. (Dkt. No. 3.) The hearing on the motion was previously set for August 20, 2013 before the Honorable Howard R. Lloyd. Plaintiff's opposition was due on July 29, 2013. Civ. L.R. 7-3(a).

To date, Plaintiff has failed to oppose the Motion to Dismiss. Plaintiff shall file an opposition to the Motion to Dismiss no later than August 23, 2013. Failure to file an opposition by that date will result in dismissal of the action against Defendant for failure to prosecute. Any reply to an opposition must be served and filed not more than 7 days after the opposition is served and filed. Civ. L.R. 7-3(c).

Upon reassignment to the undersigned, the August 20, 2013 hearing was vacated. (*See* Dkt. No. 8.) If Defendant wishes to re-notice the pending motion for hearing, it may re-notice for a date *no earlier than* September 17, 2013.

**IT IS SO ORDERED.**

Dated: August 7, 2013

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE